

**GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL  
EDUCATION  
Education Committee Meeting**

**LOCATION  
Governor's Council Conference Room  
3601 C Street  
Anchorage, Alaska  
Teleconference**

**Meeting Date  
January 14, 2010**

**Attendees:**

Julie Broyles, Chair  
Art Arnold  
Taylor Gregg  
Debbie Kitelinger  
Sharon Miranda  
Chris Saddler  
Tonja Updike

**Community Members/Guests:**

Geri Benshoof  
Karen Jenkins  
Patrick Pillai

**Staff:**

Teresa Holt  
Heidi Frost

Prepared by: Paula DiPaolo  
Peninsula Reporting

**CALL TO ORDER – 2:00 p.m.**  
**ROLL CALL**

**Welcome from the Chair**

**Correspondence**

***OT/PT Board***

Teresa Holt stated that she and Art Arnold attended a meeting with the OT/PT licensing board and they are planning to change the statute. Teresa told them that the Council can't be a part of the process, but would like to be included to give comment when the new statute comes out.

Art Arnold stated that it's a statutory change that will significantly change what was in there for OT/PT services. The statute is 12AAC 08.84.150, paragraph 6. They would like to remove the exception that addresses when the services are provided by a teacher or teacher's aide. Art and his staff feel that the statute is currently saying the right things regarding a person under the instruction and supervision of a therapist can carry out a treatment plan. He feels that the critical piece is whether or not people call those services OT and PT when they are not. He noted that they agree that those are not OT/PT services. From his and his staff's view of it, they are suggesting no change in the statute and that it should stay as is. He noted that he sees the critical piece as being that it is noted on a child's IEP that everyone understands that an aide or a teacher is implementing the service plan, not OT/PT services. He stated that additional training needs to happen with the school districts to ensure that the information on the IEP accurately reflects the activities and who is providing them under the supervision of an OT or PT.

Art Arnold also stated that another issue they discovered is under the area of telerehabilitation. Those regulations are sited under 12 AAC 54.531 and 12 AAC 54.825. He stated that in review of those, he and his staff are going to be asking for changes in those regulations because they are very limiting and they require the therapist to have state certification and also requires them to be in state to provide the telepractice. He believes that it is not in the best interest of the students to have these limitations. He asked for the Council's support when these come out for public comment. Art Arnold also noted that speech therapy is not included in this, but the Alaska Speech Therapy

Association is looking at creating those kinds of regulations for themselves.

### ***Due Process Hearing Review Subcommittee***

Teresa Holt stated that one of the duties of this committee is reviewing due process hearings as they come about. She asked for members of the Education Committee who would be willing to volunteer for this subcommittee. Julie Broyles, Tonja Updike and Chris Saddler volunteered.

### ***Update on Governor's Budget***

Teresa Holt stated that all of the items they proposed to the Trust and the Trust put into their budget did not make it into the Governor's budget, with the exception of funding for a TBI coordinator.

The Executive Committee of the Council has recognized that it takes much more effort to advocate for something when it hasn't been included in the Governor's budget. They have determined that the top four priorities for the Council during this legislative session will be: Crisis response intervention funding, SB 109, HB 187 and SB 32.

### **Approval of Previous Meeting Minutes**

Art Arnold made a **MOTION** to approve the minutes from the December 3, 2009 meeting. Patrick Pillai **SECONDED**. Heidi Frost noted a correction under the presentation by Patrick Reinhart regarding the Alaska Business Roundtable. The keynote speaker's name was Erin Riehle, not Karen. The minutes were **APPROVED** as amended.

### **Other Business**

Teresa Holt asked for volunteers to go over the nominations for the Inclusive Practice Award they will be presenting at ASSEC. Art Arnold, Tonja Updike, Chris Saddler, and Julie Broyles volunteered. Teresa also added Anna Attla's name to the list because of her previous experience in this activity.

### **Review of Indicator 13**

Teresa Holt stated that indicator 13 reads: The percent of youth age 16 and above with an IEP that includes coordinated, measurable annual IEP goals

and transition services that will reasonably enable the student to meet post-secondary goals. She noted that the wording of this indicator has changed. Art Arnold commented that a number of indicator changes happened from the federal government.

Teresa Holt then referred members of the Education Committee to the Annual Performance Report on page 61. She also referred people to the ongoing improvement activities on page 62. Some highlights were: Train districts on how to submit their data correctly, Alaska Transitions Outcome Project (ATOP), and the department monitoring administrative policies and looking at secondary transition activities.

Julie Broyles suggested an improvement activity that includes parent education and educating the students on what their goals should look like. Heidi Frost reminded people of the comic book put out called “Super Plan Man”. Teresa Holt also reminded people of Kodiak’s student-led IEPs and suggested maybe getting someone to present at ASSEC about that. Art Arnold suggested that Teresa e-mail this suggestion to Sharon Fishel. Heidi also brainstormed the idea of incorporating WorkKeys into student transition. Teresa Holt also suggested encouraging districts to hold their own transition camps.

## **Work Plan Progress**

### ***Update on SB 109 Activities***

Julie Broyles recalled a recent conversation and visit she had with Dr. Bischoff, a psychologist in Anchorage, and their discussion about SB 109. Dr. Bischoff shared with her the emotional consequences he has seen in his office around the exit exam. Children have been afraid that their teachers will be fired if they don’t pass the exam, and he has seen others who have been stressed about their passing the exam and being able to graduate. He stated that he would be happy to write a letter in support of SB 109 on the Council’s behalf. Teresa Holt will follow up with Dr. Bischoff on his letter of support.

Teresa Holt stated that the graduation committee has been meeting and they’ve been looking at how to improve the graduation rates. She noted that they had three students from three different schools attend one of their meetings and they were all very intrigued by the WorkKeys program.

Teresa said that one of the topics of the last committee meeting was the exit exam, and they were only able to come up with two things that were good about the exam. One good thing is that teachers are spending more time with students who haven't passed the exam, and this is a group of students who had been previously left out. The other positive is that everyone felt it was of absolute importance to have some kind of accountability for the student.

Some things that people did not like about the exit exam were that the HSGQE does not give universities the information they need to know about skill levels. Another is that students think they are done if they pass the exam, and it doesn't give them an incentive to work harder or do better. There are negative effects on students who can't pass and just give up. The Governor's Scholarship Program does not include anything as it relates to the exit exam. It also doesn't give any other information other than pass/fail. People would like to see something that has an individual remediation program so there is some way to learn the information they failed on the test.

Teresa Holt continued on to share a conversation she recently had with Commissioner LeDoux regarding the historical perspective of accountability in the state of Alaska. Once No Child Left Behind was enacted, there is now accountability at the school level, the student level, the teacher level and the public level. She also noted that in the future, there may be national assessments and grade-level standards.

At the end of their discussion, Commissioner LeDoux posed a few questions and thoughts that Teresa wanted to share with the committee. The first is that Alaska needs an accountability system that creates high expectations for everyone, but one that allows for the individual needs of students, especially students with disabilities. His question was: Can we have an accountability system that works and doesn't take effect to letting kids get left out that does not include a high stakes exam.

Teresa also stated that they have taken an official stand and they are going to keep the exit exam for now with the expectation that they're going to wait and see what happens with the federal decisions within the next year.

Teresa also stated that they will need to go back and review their talking points because the actual graduation counts show that from 2004 to 2009, there has been an increase in student graduation rates while there has been a decline in the overall number of students. She also shared that in 2008, there were

7,855 students who graduated with a diploma. There were 1,549 seniors who did not get a diploma and of those 1,549, 1,038 had passed all three portions of the exit exam. Of those 511 students who did not pass the exit exam, only 101 of them were special ed students. There were no numbers available regarding how many of those special ed students had dropped out.

Geri Benshoof added that the number of students who are staying in school seems to be up and the graduation rate is up almost five percentage points since 2004.

Teresa Holt also added that the graduation rates had been staying around 62 – 63 percent and then this last year jumped to 67.5 percent.

Teresa will be meeting with Eric Gebhart to talk about this new data and discuss the implications for students with disabilities. She asked for volunteers to help revise the talking points. Debbie Kitelinger, Julie Broyles, Eric Gebhart, and Heidi Frost will participate in this activity.

### ***Update on SESA Funding***

Teresa Holt stated that Tonja Updike and Patrick Pillai have been collecting stories from people around the districts who have received services from SESA and how the services have helped them. They need to discuss how they can forward this initiative and decide on next steps. Millie Ryan told Teresa that it will take a statutory change.

### ***Update on Governor's Scholarship Program Hearing***

Teresa Holt stated that they have been closely following the progress on the Governor's Scholarship Program proposal. She stated that she listened to the hearings before the Senate and House Education Committees. An expert from WICHE was brought in to testify and he recommended to the legislature that they go back and make a decision about what kind of scholarship program they are looking for. The three options he suggested were providing the scholarship program for: High performing students, students who cannot afford college, or a combination of the two. She stated that he also asked the legislature to think about why they want this.

Teresa stated that a downfall to this program is that it doesn't address students who are middle aged or late into their 20s that decide later on to go

on to college. It has to be used within six years of graduation.

Teresa encouraged people to contact her for the link to the hearing. At the conclusion of the hearing, the legislators realized they have some more discussing to do.

### ***Prepare Recommendations from Survey on 504 Issues and Present to the State Board of Education in June***

Teresa Holt stated that they need to amend their work plan to reflect the June meeting instead of March because it conflicts with another conference they will be attending.

### ***Update on Federal Bill Introduction on Restraint and Seclusion in Schools***

Teresa Holt stated that there have been a couple of bills introduced regarding restraint and seclusion and she e-mailed the links to everyone.

### **Report from the State Board of Education**

Geri Benshoof did not have anything additional to add.

### **Report from SESA**

Patrick Pillai did not have anything additional to add.

### **Report from DEED**

There was no additional information from the Department of Education.

### **TASH Conference Report**

Julie Broyles stated that the important topics at TASH included: Restraint and seclusion, person-centered planning and student-led IEPs, and students with disabilities attending college. She stated that there were a few different groups from different universities that had a specific program to assist students with disabilities where they could go for tutoring and assistance.

### **Important Future Meetings/Conferences/Trainings**

- Council meeting, January 26 – 28, Juneau
- ASSEC, February 8 – 10, Anchorage
- American Council on Rural Special Education, March 24 – 27, Memphis

Teresa encouraged committee members to contact her if they are interested in being considered for attending the Rural Special Ed Conference.

### **Time and Date of Next Meeting**

The next meeting is scheduled for February 9<sup>th</sup> at 5:00 during ASSEC. They may have to hold the meeting at the Council office unless they can find a place at the hotel that has a speaker phone.

### **Adjournment**

The meeting was adjourned at 3:30 p.m.